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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,008	06/26/2003	Surendra N. Naidoo	4017-02803	4945

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EXAMINER
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RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/607,008

Applicant(s)

NAIDOO ET AL.

Examiner

Melur Ramakrishnaiah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 71,73,74 and 82-100 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 71,73,74 and 82-100 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10-6-2003</u> .   | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8-25-2006 has been entered.

***Double Patenting***

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 71, 73-74, 82-100 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-23 of U.S. Patent No. 7, 015,806. Although the conflicting claims are not identical, they are not

patentably distinct from each other because for example claim 1 of the present application is an obvious variation of claim 19 of U.S. Patent No. 7,015,806.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 90 recites the limitation "said third subsystem" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 71, 82-83, 88-90, 91 are rejected under 35 U.S.C. 102(e) as being anticipated by Monroe (US PAT: 7,023,914, filed 6-14-2000).

Regarding claim 82, Monroe discloses a security system which includes a first subsystem (fig. 1) and a second subsystem for displaying information (figs. 18/25-28), collected by the first subsystem while managing monitoring of the premises (fig. 1), the second subsystem remotely located relative to the first subsystem, an interface (reads on server, fig. 22) for coupling the first subsystem and the second subsystem, the interface comprising: means for storing non-potential alarm specific information (reads

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on pre-event analysis, col. 5, lines 39-46, col. 14 lines 45-49) related to the premises monitored by the first subsystem, the non-potential alarm information useful in determining how to respond to the potential alarm condition, means for receiving potential alarm condition data from the first subsystems, the potential alarm condition data related to a first alarm event detected by the first subsystem, means for relaying the potential alarm condition data to the second subsystem, and means for transmitting the stored non-potential alarm specific information to the second subsystem (col. 11, line 11 – col. 13, line 12; col. 14, line 6 – col. 15, line 65).

Regarding claims 71, 83, 88-91, Monroe further teaches the following: interface (for example server shown in fig. 22) couples the second subsystem with plural first subsystems (like one shown in fig. 1) monitoring respective premises, means (reads on stored audio and video data in a server) for constructing alarm history data from the potential alarm condition data received from the first subsystems (fig. 1) during one or more alarm events which include the first alarm event, the storage information means further comprising means for storing alarm history constructed from the potential alarm condition data received from the first subsystem in connection with one or more alarm events which include the first alarm event, and transmitting means (fig. 1) further comprising means for transmitting the alarm history constructed from the potential alarm condition data received from the first subsystem in connection with one or more alarms (col. 5 lines 34-48; col. 8 lines 1-26; col. 9 lines 3-5; col. 14 lines 29-49), potential alarm condition data from the first subsystem and relayed to the second subsystem is comprised of alarm notification and real time stream of video and/or audio data, means

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for receiving pre-alarm and/or non-alarm video and audio data received from the first subsystem, and means for storing the pre-alarm and /or non-alarm data (such as unit ID (fig. 10A) from the first subsystem (col. 5 lines 34-48; col. 14, line 55 – col. 15, line 12), means for permitting the third sub-system to access the stored pre-alarm and/or non-alarm video and/or audio data for a predetermined period of time after the receipt of the alarm condition (col. 4 lines 29-51).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 73-74, 84-87, 92-93 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe in view of Foodman et al. (US PAT: 6,975,220, filed 4-10-2000, hereinafter Foodman).

Monroe differs from claims 73, 84-85, 92-93 in that he does not teach the following: information storage means stores information related to the premises monitored by the first subsystem, means for storing information related to the respective premises monitored by each one of the plural first subsystems and network address at which each of the plural first subsystems may be accessed, means for storing customer information associated with the premises, means for transmitting comprises means for transmitting the customer information associated with premises to the second subsystem, customer information includes one or more of the following: contact

information, billing information and/or passwords for the premises and transmitting means transmits the contact information, billing information and/or passwords for the premises to the second subsystem.

However, Foodman discloses internet based security, fire and emergency identification and communication system which teaches the following: information storage means stores information related to the premises monitored by the first subsystem, means for storing information related to the respective premises monitored by each one of the plural first subsystems and network address at which each of the plural first subsystems may be accessed, means for storing customer information associated with the premises, means for transmitting comprises means for transmitting the customer information associated with premises to the second subsystem, customer information includes one or more of the following: contact information, billing information and/or passwords for the premises and transmitting means transmits the contact information, billing information and/or passwords for the premises to the second subsystem (figs. 3-4; col. 4 lines 32-41; col. 8 line 20 – col. 9, line 4).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Monroe's system to provide for the following: information storage means stores information related to the premises monitored by the first subsystem, means for storing information related to the respective premises monitored by each one of the plural first subsystems and network address at which each of the plural first subsystems may be accessed, means for storing customer information associated with the premises, means for transmitting comprises means for transmitting

the customer information associated with premises to the second subsystem, customer information includes one or more of the following: contact information, billing information and/or passwords for the premises and transmitting means transmits the contact information, billing information and/or passwords for the premises to the second subsystem as this arrangement would further facilitate premises monitoring of the alarm system of various customers using database relating to their accounts as taught by Foodman.

Regarding claims 74, 86-87, Monroe further teaches the following: means for relaying control/and or configuration data generated by the second subsystem to a selected one of the plural first subsystems after the occurrence of the alarm event (col. 15 lines 29-62).

10. Claims 94-98 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kogane et al. (US PAT: 6,323,897, hereinafter Kogane) in view of Monroe.

Regarding claim 94, Kogane discloses a security system which includes a security gateway (32, figs. 2-5) for monitoring a premises and a monitoring client at (4, fig. 2) for displaying information collected by security gateway, the monitoring client remotely located relative to the security gateway, a security system server (5, fig. 1) remotely located relative to the security gateway and to the monitoring client and coupled to the security gateway and monitoring client over the network, the security system server comprising: an automation server (reads on database 47, fig. 1), the automation server using potential alarm condition data from the security gateway to produce a log of the alarm events detected by the security gateway (col. 4 lines 28-33;



col. 6 lines 1-8), media handler receiving a real time stream of alarm video and/or audio from the security gateway and relaying the real time stream of the alarm video and/or audio data to the monitoring client (col. 6 lines 15-53).

Kogane differs from claims 94 and 96 in that he does not specifically teach storing pre-alarm video and /or non-alarm video and /or audio data received from the security gateway.

However, Monroe teaches the following: storing pre-alarm video and /or non-alarm video and /or audio data received from the security gateway (col. 5 lines 42-48; col. 14 lines 45-49).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Kogane's system to provide for the following: storing pre-alarm video and /or non-alarm video and /or audio data received from the security gateway as this arrangement would facilitate for reconstructing and monitoring event as it happens as taught by Monroe, thus facilitating the monitoring person to obtain context information about the occurrence of an alarm condition.

Regarding claims 95, 97-98, Kogane further teaches the following: media handler (reads on control circuit 160, fig. 2) relaying control and configuration data from the monitoring client to the security gateway for a predetermined period of time after relaying the real-time alarm stream of alarm video and/or audio data to the monitoring the client , media handler relaying control and configuration data from the monitoring client such as control server (5, fig. 1) to the security gateway (32, figs 2-5) for a predetermined period of time after relaying real-time stream of alarm video and/or audio

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data according to the monitoring client (col. 6 lines 54-57), automation system server in (5, fig. 1) transmitting the alarm history constructed from the alarm condition data to the monitoring client (col. 6 lines 15-53).

11. Claims 99-100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kogane) in view of Monroe as applied to claim 98 above, and further in view of Foodman.

The combination differs from claims 99-100 in that it does not teach the following: automation system server transmitting customer information associated with the premises to the monitoring client, customer information includes one or more of the following: contact information, billing information and/or passwords for the premises.

However, Foodman teaches the following: automation system server transmitting customer information associated with the premises to the monitoring client, customer information includes one or more of the following: contact information, billing information and/or passwords for the premises figs. 3-4; col. 4 lines 32-41; col. 8 line 20 – col. 9, line 4).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: automation system server transmitting customer information associated with the premises to the monitoring client, customer information includes one or more of the following: contact information, billing information and/or passwords for the premises as this arrangement would further facilitate premises monitoring of the alarm system of various customers using database relating to their accounts as taught by Foodman.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Melur Ramakrishnaiah  
Primary Examiner  
Art Unit 2614